

## **Remarks**

These Remarks are in reply to the final Office Action mailed August 4, 2009.

### **I. Interview Summary**

Applicant thanks the Examiner for the courtesy of the telephonic interview with Adam T. Hipp conducted in February 4, 2009.

During the interview, the claims and the cited Carey reference were discussed. The Examiner indicated that a declaration from the inventor would be required to remove and disqualify Carey as a prior art reference. Accordingly, Applicant submits herewith a Declaration under 37 C.F.R. 1.132, asserting certain teachings of the Carey reference were derived solely by co-inventors Pal Takacsi-Nagy and Michael Blevins. Applicant submits this Declaration is sufficient to disqualify Carey as a prior art reference, and thus overcome the 35 U.S.C. 102(a) rejection, thereby placing the application in condition for allowance.

Applicant respectfully requests that the Declaration be considered, and that the 35 U.S.C. 102(a) rejection be withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way with regards to the Declaration.

### **II. Summary of Examiner's Rejections**

In the Office Action mailed August 4, 2009, Claims 1, 18, 43-45, 52-54 and 61 were rejected under 35 U.S.C. 102(a) as being anticipated by Carey et al. "Integration, Web Services Style" (hereinafter "Carey"). Claims 2, 3, 19, 20, 46, 47, 51, 55, 56 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Carey, in view of Christensen et al. "Extending Java for High-Level Web Service Construction" (hereinafter "Christensen"). Claims 48 and 57 were rejected under 35 U.S.C. 103(a) as being unpatentable over Carey. Claims 49, 50, 58 and 59 were rejected under 35 U.S.C. 103(a) as being unpatentable over Carey, in view of Becker et al. (U.S. Patent No. 6,904,161; hereinafter "Becker").

### **III. Summary of Applicant's Amendments**

No claims are amended by this Reply. Reconsideration of the Application in view of the following remarks is respectfully requested.

### **IV. Claim Rejections under 35 U.S.C §102(a)**

In the Office Action mailed August 4, 2009, Claims 1, 18, 43-45, 52-54 and 61 were rejected under 35 U.S.C. 102(a) as being anticipated by Carey.

The present Reply includes a Declaration under 37 C.F.R. §1.132, signed by co-inventors Pal Takacsi-Nagy and Michael Blevins of the present Application No. 10/784,374, stating that the co-inventors Pal Takacsi-Nagy and Michael Blevins invented and conceived the subject matter disclosed in the Carey reference to the extent relied on in the rejections. Accordingly, Applicant respectfully submits that the Carey reference is not "by another" and thus does not constitute proper prior art 35 U.S.C. §102(a) against the present Application.

In light of the above, Applicant respectfully submits that the Declaration is sufficient to disqualify Carey as the sole prior art reference, and thus overcome the 35 U.S.C. 102(a) rejection thereby placing the application in condition for allowance.

**V. Conclusion**

In view of the above remarks and the declaration enclosed herewith, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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